and with the swapping effected imperceptibly to all the other router nodes in the multiple router system.

6. (Amended) A network data multiple routing system having, in combination, a plurality of interconnected router nodes each controlled by software processing and managing information for enabling data routing along a predetermined path of each of the plurality of router nodes; apparatus for revising and upgrading the software information in one of the router nodes along said path for each of the multiple routings comprising means operable during the continued data routing along said path, for preparing new software information at said one node from said original software information and including revisions and upgrades; and, means operable after such preparing of the new software information, for swapping the same for the original software information in said one node during the continuing of the data routing along said path without interruption, and even if no alternative router paths are available in the network, the swapping means enabling said swapping imperceptibly to all the other router nodes in the multiple routing system.

Remarks

The Office has objected to the informality of the drawings, apparently having overlooked the formal and corrected drawings submitted with the previous amendment of October 24, 2002 (see first three lines of page 1). If these have been misplaced, applicants can supply replacements.

The Office has repeated its rejection of the claims under 35 U.S.C. §103 as not distinguishing from a type of software-controlled router upgrading disclosed in the patent to Holte-Rost et al in light of a general teaching of multiple node routing in RFG 1269, though the Office concedes that Holte-Rost does not teach updating in multiple routers.

The Office has held that

" The broad claim language used…without more functional language,
reads on the references provided."

While apparently recognizing that applicants' invention may provide "highly novel results", the Office points out that applicants' argument that the cited art cannot, as in their invention, upgrade under conditions where "no alternative router paths are available in the network", " is not commensurate with what is presently claimed".

Applicants have accordingly now amended independent method claim 1 and independent apparatus claim 6 to provide the distinguishing "more functional language", and,

in particular, the requirement of operation "even if no alternative router paths are available in the network--adopting the Office's suggestion for rendering the claims commensurate with applicants' highly novel results and thus as definitive over the prior art. Since all of claims 2, 7 and 12-16 depend from either parent claim 1 or parent claim 6, they all similarly define over the references as do dependent claims 3-5, 8-11, and 17-22. The latter, moreover, have added limitations as well--claims 3, 8 and 10 (revisions and upgrades), claims 4 and 9 (new software install notification), claims 11, 17 and 20 (messaging-linking), and claims 18, 19, 21 and 22 (task state-interface) which, of and by themselves, the Office finds in the Holte-Rost patent. Applicants, however, do not claim novelty in these added limitations per se, but only in connection with and in combination with the total method or apparatus of the respective parent claims which, as above shown, are not at all anticipated by the cited art or any proper combination thereof.

Reconsideration and allowance are thus respectfully requested of claims 1-22, particularly as amended in accordance with the Office suggestions.

Any cost required by this filing, including for any required time extensions, petition for which is hereby made, may be charged to the Deposit Account No. 18-1425 of the undersigned attorneys.

Very respectfully,

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Version With Markings To Show Changes Made:

1.   In a network data <u>multiple </u>routing system comprised of a plurality of interconnectable router nodes, each controlled by software processing and management information for enabling data routing along a predetermined path of <u>each of the plurality of </u>router nodes, a method of revising and upgrading the software information in one of such preselected router nodes along said paths<u> for each of the multiple routers</u>, that comprises, continuing the data routing along said path with original software information controlling said one router node; during such continued routing, preparing new software information at said one node from said original software information and including revisions and upgrades; and, after such preparing of the new software information, swapping the same for the original software information in said one node during the continuing of the data routing along said path without interruption<u> and even if no alternative router paths are available in the network</u>, and <u>with the swapping effected </u>imperceptibly to all the other router nodes in the <u>multiple </u>router system.

6. A network data multiple routing system having, in combination, a plurality of interconnected router nodes each controlled by software processing and managing information for enabling data routing along a predetermined path of each of the plurality of router nodes; apparatus for revising and upgrading the software information in one of the router nodes along said path for each of the multiple routings comprising means operable during the continued data routing along said path, for preparing new software information at said one node from said original software information and including revisions and upgrades; and, means operable after such preparing of the new software information, for swapping the same for the original software information in said one node during the continuing of the data routing along said path without interruption, and and even if not alternative router paths are available in the network, the swapping means enabling said swapping imperceptibly to all the other router nodes in the multiple routing system.